

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

RICK SOUTH,

Plaintiff,

v.

**SAFECO INSURANCE COMPANY OF
INDIANA and HILLARY MACABARE,**

Defendant.

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CIVIL ACTION NO. 4:18-CV-561

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On October 24, 2018, the report of the Magistrate Judge (Dkt. #14) was entered containing proposed findings of fact and recommendations that Defendants Safeco Insurance Company of Indiana and Hillary Macabare ‘s (collectively, “Defendants”) Motion to Dismiss Adjuster Hillary Macabare (the “Motion”) (Dkt. #6) be granted *See* Dkt. #14.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that the Motion to Dismiss Adjuster Hillary Macabare (Dkt. #6) is **GRANTED**, and Defendant Hillary Macabare is **DISMISSED WITHOUT PREJUDICE** from this lawsuit, with costs taxed against the party incurring the same.

Plaintiff's claims against Defendant Safeco Insurance Company of Indiana remain pending at this time.

IT IS SO ORDERED.

SIGNED this 20th day of November, 2018.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE